

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**STATE AUTO PROPERTY &
CASUALTY INSURANCE COMPANY,**

Plaintiff,

v.

**NEIL A. BARRALL and JOHN D.
CAVALETTO, Individually and as
Special Administrator of the
Estate of MICHELE
CAVALETTO, Deceased,**

Defendants.

No. 10-53-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is a motion for entry of default judgment (Doc. 11) filed by Plaintiff. Plaintiff requests that the Court enter a default judgment pursuant to **FEDERAL RULE OF CIVIL PROCEDURE 55(b)**. However, the Court notes that Plaintiff's motion for entry of default judgment (Doc. 11) does not state whether it has provided notice of the entry of default and the motion as required by **LOCAL RULE 55.1(a) & (b)**.¹ In regards to Plaintiff's motion for entry of default judgment (Doc. 11), the Court **ORDERS** Plaintiff to submit a supplement to its motion informing the Court as to whether it has provided the required notice to the defaulted party and the date

¹ **LOCAL RULE 55.1(a)** requires a party to certify to the Court that notice of the entry of default has been sent to the defaulting party. Further, **LOCAL RULE 55.1(b)** requires a party to state in its motion for default judgment that it provided a copy of the motion to the defaulting party by mailing a copy to the defaulting party's last known address. A party is also required to inform the Court that it has mailed a copy of the motion to the defaulting party's attorney, if the filing party knows or reasonably should know the identity of the defaulting party's attorney. *See LOCAL RULE 55.1(b)*.

upon which that notice was sent out. The Court **DEFERS** ruling on Plaintiff's motion until such time as it submits the proper notice.

IT IS SO ORDERED.

Signed this 9th day of April, 2010.

/s/ *David R. Herndon*

Chief Judge
United States District Court